

In October 2014, President Evo Morales was reelected after a controversial 2013 court ruling allowed him to run for a third term. In concurrent legislative elections, the governing Movement for Socialism (MAS) retained a majority in the legislature. Political representation improved in the 2014 general elections for women, who took 49 percent of the seats in the Plurinational Legislative Assembly.

In July, human rights organizations criticized Bolivia after it passed new legislation to lower the legal employment age for minors to 10 for certain jobs.

Political Rights and Civil Liberties:

Political Rights: 29 / 40 [Key]

A. Electoral Process: 11 / 12

Bolivia's president is directly elected, and presidential and legislative terms are both five years. The Plurinational Legislative Assembly consists of a 130-member Chamber of Deputies and a 36-member Senate. All senators and 53 deputies are elected by proportional representation, and 70 deputies are elected in individual districts. Seven seats in the Chamber of Deputies are reserved for indigenous representatives. The 2009 constitution introduced a presidential runoff provision.

In a controversial April 2013 ruling, the Plurinational Constitutional Tribunal determined that President Morales's first term in office did not count toward the constitutionally mandated two-term limit since it had begun before the current constitution was adopted. The ruling allowed Morales to run for a third term in 2014. In the October 2014 general elections, Morales was reelected with 61.4 percent of the vote. Samuel Doria Medina of the Democratic Union Front (UD) obtained 24.2 percent of votes, and the three remaining candidates, including former president Jorge Quiroga, shared less than 15 percent of votes. In concurrent legislative elections, Morales's MAS party maintained a two-thirds majority in the Plurinational Legislative Assembly, the share necessary to pass constitutional reforms. The MAS took 89 seats in the lower house and 25 seats in the Senate, while the opposition UD won 31 deputies and 9 senators, followed by the Christian Democratic Party (PDC) with 10 deputies and 2 senators.

According to the Organization of American States (OAS) electoral observation mission, although the processing and dissemination of electoral results was delayed, the electoral process did reflect the will of the people. The OAS mission recommended that Bolivia strengthen its electoral institutions and campaign finance system. Bolivians living abroad were allowed to vote for the first time in 2014.

The last subnational elections took place in 2010, when MAS candidates won governorships in six of the nine departments and opposition candidates became mayors in seven of the 10 principal cities.

B. Political Pluralism and Participation: 11 / 16

Citizens have the right to organize political parties. The MAS draws support from a diverse range of social movements, unions, and civil society actors. Since Morales's 2005 election, the country's traditional political parties have all but collapsed, giving way to a series of new formations and short-lived opposition

coalitions. Following the 2010 local and regional elections, the Movement Without Fear (MSM) party, a group previously allied with the MAS, emerged as a centrist alternative to the ruling party. In the wake of the 2014 elections, however, the MSM and the Green Party of Bolivia each lost their legal status due to their inability to win 3 percent of the votes.

There are some allegations that prosecutions against members of the opposition are politically motivated. In one high-profile case in 2012, the Brazilian government granted political asylum to Bolivian opposition senator Roger Pinto Molina, who faced corruption and other criminal charges in Bolivia after he denounced corruption in the government. Over the years, opposition politicians, such as La Paz mayor Luis Revilla, have claimed that the Morales administration persecutes them via the judiciary.

C. Functioning of Government: 7 / 12

Corruption remains a problem in Bolivia, affecting a range of government entities and economic sectors, including law-enforcement bodies, officials hired to rein in the illegal drug trade, and extractive industries. Anticorruption legislation enacted in 2010 has been criticized for permitting retroactive enforcement. The government has established an Anti-Corruption Ministry, outlined policies to combat corruption, and opened investigations into official corruption cases. In 2011, legislators voted to prosecute former presidents Gonzalo Sánchez de Lozada and Jorge Quiroga for approving hydrocarbon contracts alleged to have contravened national interests. The U.S. government has refused to extradite Sánchez de Lozada since 2012. In 2013, the Bolivian prosecutor filed corruption charges and requested house arrest for Quiroga, but a court decided to grant substitute measures while the trial continues. Despite his legal situation, Quiroga was permitted to run for the presidency in 2014.

In March, opposition party leader Arturo Murillo (National Unity) spoke out against influence peddling after AIG Catering, a company owned by the sister-in-law of Vice President Álvaro García Linera, was assigned a contract with the state aviation company. Linera responded by requesting that the contract be revoked, but his sister-in-law allegedly sold the company. Murillo complained that judicial authorities repeatedly refused to investigate the case. At the end of the month, government assembly member Ever Moya resigned from the MAS in protest against unchecked corruption in the government. Bolivia was ranked 103 out of 175 countries and territories surveyed in Transparency International's 2014 Corruption Perceptions Index.

A bill on Transparency and Access to Public Information was under consideration as of year's end that has been criticized for allowing government agencies to establish exceptions on what information would be publicly available.

Civil Liberties: 39 / 60 (+1)

D. Freedom of Expression and Belief: 14 / 16

Although the constitution guarantees freedom of expression, in practice, the media are subject to some limitations. Press associations have complained that the language of a 2010 antiracism law is vague and contributes to a climate of self-censorship. In particularly serious cases, the law allows publication of racist or discriminatory ideas to be punished with fines, the loss of broadcast licenses, and prison sentences of

up to five years. In many instances a public apology can result in the waiver of such sanctions. In 2011, the government created a Ministry of Communications, but no implementing regulation for the constitution's "right to communication" has been passed.

Most media outlets are privately owned. Radio is the leading source of information. The print sector has undergone a wave of consolidation and some newspapers have closed. Online media are growing in importance as a source of news. Many private newspapers and television stations feature opposition rather than progovernment opinion pieces; the opposite holds true in state media. The 2011 telecommunications law aims to allocate 33 percent of all broadcast licenses to state-run media, another 33 percent to commercial broadcasters, and 17 percent each to local communities and indigenous groups.

Journalists and independent media operate in a somewhat hostile environment, and attacks continued to be reported in 2014. In April, charges of espionage and complicity were filed against journalist Ricardo Aguilar and editor Claudia Benaventura for an article they published in *La Razon* regarding the complaint that Bolivia brought against Chile before the International Court of Justice. A judge ordered Aguilar to reveal his sources, in violation of the 1925 press law. Criminal charges were dropped in August and the case was moved to the Press Tribunal, where it is currently pending. In May, the municipality of Santa Cruz de la Sierra pulled official advertising and allegedly began an intimidation campaign against *El Deber* newspaper after it broadcast a video portraying the mayor behaving inappropriately with a female journalist during a public function.

In 2012, the Constitutional Tribunal struck down Article 162 of the penal code, which made it a crime to criticize a government official in the exercise of his or her office.

Freedom of religion is guaranteed by the constitution. The 2009 constitution ended the Roman Catholic Church's official status and created a secular state. The government does not restrict academic freedom. Private discussion is also permitted, free from surveillance or other interference by government authorities.

E. Associational and Organizational Rights: 9 / 12

Bolivian law provides for the rights of peaceful assembly and freedom of association. Protests sometimes become violent. The Morales government has been highly critical of nongovernmental organizations, especially those that supported indigenous protests in 2011.

The constitution guarantees the right to form trade unions. Labor and peasant unions are an active force in society and wield significant political influence. In 2013, Bolivia ratified the International Labour Organization's Domestic Workers Convention. A 2013 law establishes regulations for workers' cooperatives, which, among other provisions, prevent members of cooperatives dedicated to production, services, and public services from joining a union in that cooperative. Critics have pointed out that this rule violates the right to association.

F. Rule of Law: 6 / 16

The judicial system has faced ongoing systemic challenges in recent years. Judicial elections were held in 2011 to remedy a crisis in the judicial branch, which had been plagued by resignations, corruption charges, and a backlog of cases. The elections were marred by procedural problems and voter discontent. Candidates for the Supreme Court, the Constitutional Tribunal, and other entities were nominated through

a two-thirds vote in the legislature, which allowed the MAS to dominate the selection process. In 2012, 56 new high court judges took office, making Bolivia the first country in Latin America to swear in elected judges to its highest tribunals. The Constitutional Tribunal's contentious 2013 decision to allow Morales to seek a third presidential term was interpreted as a sign of political bias among the new justices.

In July 2014, the lower house suspended three Constitutional Tribunal judges in light of their March ruling to temporarily prevent a law on public notaries from coming into force. In criminal proceedings that began before the Senate in October, the judges were accused of malfeasance and breach of duties. Hearings were still under way at year's end. If convicted, the judges could face up to 10 years in prison.

Bolivian courts face a daunting caseload, though there have been some improvements in recent years. In 2013, the Supreme Tribunal of Justice resolved a total of 2,614 cases out of 3,480. Prosecutorial independence is viewed as weak.

In April 2014, low-ranking officers presented a proposal to ban discrimination in the armed forces in promotions and access to health and educational services. In response, the government dismissed 702 officers who were protesting in favour of the measure on grounds of rioting and sedition; many of the officers were later reinstated.

Bolivian prisons are overcrowded, and conditions for prisoners are extremely poor. An increase in urban crime rates and a 1988 law that substantially lengthened prison sentences for drug-related crimes have contributed to prison overcrowding. In addition, a 2014 Human Rights Watch report found that pretrial detention and trial delays in Bolivia have led to prison overcrowding. In response to overcrowding, the government approved a pardon system in 2012, but found the results unsatisfactory. A new pardon issued in September 2013, set to last one year, authorized applications for release by various categories of prisoners, including women with children. An estimated 1,000 individuals have benefited from the measure. Assaults in prisons continue to pose a significant problem. In September, violence in the El Abra detention center resulted in four deaths and 11 injured. Human Rights Watch has found that control within prisons is often left to inmates.

In a June report, the UN Office on Drugs and Crime (UNDOC) estimated that the area used for unregulated coca cultivation destined for the illegal cocaine trade was reduced from 25,300 to 23,000 hectares between 2012 and 2013. UNDOC attributed the decrease to the Morales administration's control and eradication policies.

While the 2009 constitution and jurisdictional law recognize indigenous customary law on conflict resolution, reform efforts have not fully resolved questions regarding its jurisdiction and proper application. This lack of clarity has allowed some perpetrators of vigilante crimes, including lynching, to misrepresent their actions as a form of indigenous justice.

The 2009 constitution recognizes 36 indigenous nationalities, declares Bolivia a plurinational state, and formalizes local political and judicial control within indigenous territories. In general, racism is rife in the country, especially against indigenous groups. The 2010 antiracism law contains measures to combat discrimination and impose criminal penalties for discriminatory acts. A criminal investigation into police abuses related to the violent dispersal of a 2011 indigenous protest against a planned highway through their territory was ongoing at the end of 2014. In April 2014, the government announced that it would postpone the highway project until the end of 2015 and focus on eliminating extreme poverty in the affected region, known as the Isiboro-Sécure Indigenous Territory and National Park (TIPNIS).

G. Personal Autonomy and Individual Rights: 10 / 16 (+1)

While the law protects freedom of movement, protesters often disrupt internal travel by blocking highways and city streets. Women enjoy the same formal rights to property ownership as men, but discrimination is pervasive, leading to disparities in property ownership and access to resources.

The constitution prohibits discrimination based on gender and sexual orientation, but it reserves marriage for opposite-sex couples only, and makes no provision for same-sex civil unions.

In the October 2014 general elections, women's rights organizations and the OAS electoral observation mission praised the promotion of women's political participation through alternating men and women on the ballot and requiring equal numbers of male and female candidates. According to the Women's Coordinator, the 2014 general elections were the first in which half of the candidates were women. As a result, 49 percent of members of the 2015 legislature will be women.

Violence against women is pervasive, and the justice system is ineffective at safeguarding women's broader legal rights. A March 2014 law increased the penalties for rape and abuse, including the recognition of spousal rape; creates a specialized police force for crimes against women; and categorizes violence against women as a public health issue. More than half of Bolivian women are believed to suffer from domestic violence at some point during their lives.

Child labor and forced labor are ongoing problems. A 2012 study by the United Nations reported instances of forced child labor in mining, agriculture, and the drug trade. Forced labor has also been reported on agricultural estates in the Chaco region. A law approved in July 2014 allows children aged 12 to 14 to enter work contracts as long as they do not work for longer than six hours a day. Children as young as 10 will be permitted to work in independent jobs such as shoe shining as long as they are under parental supervision. Human rights organizations have condemned the law, but supporters argue that it will help to regulate existing child labor issues.

Human trafficking continues to be a problem in Bolivia. The government enacted an antitrafficking law in 2012, but the U.S. State Department's 2014 *Trafficking in Persons Report* found that implementation was lacking, placing the country on its Tier 2 Watch List.

Scoring Key: X / Y (Z)

X = Score Received

Y = Best Possible Score

Z = Change from Previous Year

[Full Methodology](#)